

STATE BOARD MEETING DATE

May 23, 2007

SUBJECT: Consideration of Review Case No. C-2006-108R, **Roberto Duran**

SUBMITTED BY: Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education

MANAGEMENT TEAM REVIEW: May 3, 2007

BACKGROUND INFORMATION:

Roberto Duran applied for an Emergency Teaching Certificate on October 2, 2006. On his application for certification, Mr. Duran answered “yes” to the question of having been arrested for an offense for which he was fingerprinted. In his disclosure statement, he indicated an arrest and conviction for driving under the influence on July 21, 2000, in El Paso, Texas. Mr. Duran was issued a teaching certificate on October 18, 2004. On his 2004 application, Mr. Duran disclosed the DUI conviction in July, 2000. In 2005, the Investigative Unit was informed by the school district that Mr. Duran had several arrests and conviction – none of which had been disclosed.

On October 16, 2006, Mr. Duran, in a subsequent statement, disclosed the following arrests:

Aggravated Assault, July 2003
Reckless Driving, March 2006
Public Intoxication, June 2006

The Investigative Unit informed Mr. Duran that it had reason to believe there were additional arrests which he had not disclosed. He was advised, by a letter dated November 16, 2006, that his application required a review by the State Board of Education (the “Board”). He was asked to submit a notarized statement regarding his complete arrest history and a personal account of his arrest history; police and court records related to the charges that were filed against him; and a minimum of four current letters of reference. In addition, the letter included a notice that if the requested materials were not provided with 60 days of receipt of the letter, the Board could deny his application for failure to provide the requested documents.

On February 23, 2007, a certified letter was mailed to Mr. Duran giving notice of a review hearing before the Professional Practices Advisory Committee (the “PPAC”) on March 13, 2007. A signed receipt shows the letter was delivered on February 24, 2007.

On March 7, 2007, a certified letter was mailed to Mr. Duran giving notice that the review hearing was rescheduled for March 20, 2007. Mr. Duran signed for that letter on March 19, 2007. He did not attend the March 20, 2007, hearing.

On April 7, 2007, Mr. Duran signed for a certified letter which contained a notice of hearing before the PPAC on April 18, 2007. Mr. Duran did not attend the April 18, 2007, hearing.

At that hearing, the PPAC found that Mr. Duran had failed to provide

- court documents regarding the various charges,
- a notarized statement regarding his account of the arrests,
- education and employment history since the most recent incident,
- a minimum of four letters of recommendation.

The PPAC unanimously, by a 5 – 0 vote, recommended that the Board deny Mr. Duran’s application for certification for his failure to provide the requested documents which would enable the PPAC to make an informed decision regarding his fitness to teach.

**BOARD ACTION REQUESTED: [] INFORMATION [] ACTION/DESCRIBED
BELOW:**

That the Board accept the findings of fact, conclusions of law and recommendation of the PPAC and deny Mr. Duran application for certification.

ATTACHMENTS: YES [X] NO[]